

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	
	:	Case No. 5:21-bk-00329
MARIA VICTORIA DIRI	:	Chapter 7
Debtor.	:	
	:	(Conway, J.)
	:	

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

The United States of America, Department of Education, by its attorney, Gerard M. Karam, United States Attorney for the Middle District of Pennsylvania, hereby files this Motion for Payment of Unclaimed Funds as follows:

1. Debtor initiated this Chapter 7 bankruptcy proceeding via Voluntary Proceeding filed February 19, 2021. (ECF Doc. 1.)
2. Pursuant to Fed. R. Bankr. P. 3004, the U.S. Trustee filed a proof of claim on behalf of the Department of Education in the amount of \$33,784.00 on August 9, 2021. (*See* Claim No. 7.)
3. On October 19, 2022, Debtor's estate was fully administered, and the case was closed. (ECF Doc. 54.)
4. On January 22, 2024, Debtor filed an application for payment of unclaimed funds in the amount of \$28,381.48. (ECF Doc. 67.)

5. On February 23, 2024, the Court denied Debtor's Petition for Payment of Unclaimed Funds after determining that Debtor was not entitled to those funds. (ECF Doc. 72.)

6. On May 3, 2024, Debtor filed a Motion to Reopen her Chapter 7 case. (ECF Doc. 78.)

7. In her Motion, Debtor acknowledged that the Department of Education was not served at its actual address for service of process. (*Id.*)

8. On May 14, 2024, the Court granted the Motion. (ECF Doc. 79.)

9. On May 25, 2024, Debtor filed an Objection to the Department of Education's proof of claim. (ECF Doc. 81.)

10. On September 18, 2024, the Parties filed a Joint Stipulation agreeing that the Department of Education would file an amended proof of claim and motion for payment of the unclaimed funds. (ECF Doc. 91.)

11. On September 19, 2024, the Court entered an Order approving the Stipulation. (ECF Doc. 93.)

12. On September 20, 2024, the Department of Education filed an amended proof of claim in the amount of \$52,889.56. (*See* Amended Claim No. 7, attached hereto as Exhibit 1.)

13. Based on the foregoing, the Department of Education is entitled to the payment of \$28,381.48 in unclaimed funds held by the Court.

WHEREFORE, the United States of America, Department of Education, respectfully requests this Court direct payment of the \$28,381.48 in unclaimed funds held by the Court to the Department of Education.

Respectfully submitted,

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United States Attorney

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